

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re: Exide Technologies, <i>et al</i>)	Bankr. Case No. 02-11125 (KJC)
)	
EnerSys Delaware, Inc.,)	
Appellant,)	Civil Action No. 06-302 (SLR)
)	
v.)	
)	Related to Docket Nos. 2-6
Exide Technologies,)	
Appellee.)	

**ENERSYS DELAWARE, INC. F/K/A ENERSYS, INC.’S SUPPLEMENTAL
DESIGNATION OF ITEMS FOR RECORD ON APPEAL
AND SUPPLEMENTAL STATEMENT OF ISSUES ON APPEAL**

EnerSys Delaware, Inc. f/k/a EnerSys, Inc. (“**EnerSys**”), by and through their undersigned attorneys, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, hereby supplement its designation items to be included in the record and issues on its appeal from (i) the “*Order Granting Motion to Reject Notice to Reject the Trademark and Trade Name License Agreement Between Exide Corporation and Yuasa Battery (America), Inc.*” (Bankruptcy Docket No. 5378) (the “**Rejection Order**”) entered by the Bankruptcy Court on April 3, 2006, and (ii) the *Order and Transition Plan* (the “**Transition Order**”) (Bankruptcy Docket No. 5521), entered by the United States Bankruptcy Court for the District of Delaware on July 3, 2006. On July 11, 2006, EnerSys filed its Amended Notice of Appeal (District Court Docket No. 8). In furtherance of its Amended Notice of Appeal, EnerSys incorporates its designations of items for record on appeal and statement of issues on appeal filed on April 21, 2006 (Bankruptcy Docket No. 5435; District Court Docket Nos. 2-6).

I. Supplemental Designation Of Items For Record On Appeal.

Tab No.	Docket No.	Filing/Entry Date	Document Name
1.	5463	04/24/2006	Statement of Post-Confirmation Committee with Respect to Transition Plan Relating to Transfer of Exide Trademarks.
2.	5464	04/24/2006	Enersys Delaware, Inc. f/k/a Enersys, Inc. Position Paper Regarding Transition Plan.
3.	5466	04/24/2006	Exide Technologies' Position Paper with Respect to a Transition Plan.
4.	5474	05/05/2006	Transcript of Hearing held on April 27, 2006 before the Honorable Kevin J. Carey
5.	5517	06/28/2006	Enersys Delaware, Inc. f/k/a Enersys, Inc. Supplemental Position Paper Regarding Revised Exide Proposed Transition Plan.
6.	5519	06/29/2006	Certification of Counsel Re: Proposed Order Approving Transition Plan and Denial of Stay Motion without Prejudice.
7.	5521	07/03/2006	Order Approving Transition Plan and Denial of Stay Motion without Prejudice. Order Signed on 6/30/2006.
8.	5524	07/06/2006	Transcript of Hearing Before The Honorable Kevin J. Carey, Held on June 29, 2006.
9.	5525	07/06/2006	Transcript of Hearing Before The Honorable Kevin F. Carey, Held on May 31, 2006.

II. Supplemental Statement Of Issues On Appeal.

1. Are the Transition Order and the Rejection order a single order, for purposes of this appeal, or two separate orders?

2. In the event the Transition Order and the Rejection Order are separate orders, if the Rejection Order is reversed, must the Transition Order also be reversed?

Dated: August 28, 2006

STEVENS & LEE, P.C.


/s/ Thomas G. Whalen, Jr.

Thomas G. Whalen, Jr. (No. 4034)
1105 North Market Street, 7th Floor
Wilmington, DE 19801
Telephone: (302) 425-3304
Telecopier: (610) 371-8512
E-mail: tgw@stevenslee.com

- and -

Robert Lapowsky, Esquire
Neil C. Schur, Esquire
Dean R. Batson, Esquire
1818 Market Street, 29th Floor
Philadelphia, PA 19103
Telephone: (215) 575-0100
Telecopier: (215) 851-0214

*Attorneys for EnerSys Delaware, Inc. f/k/a
EnerSys, Inc.*

CERTIFICATE OF SERVICE

I, THOMAS G. WHALEN, JR., hereby certify that on August 28, 2006, I caused a true and correct copy of *ENERSYS, INC.'S SUPPLEMENTAL DESIGNATION OF ITEMS FOR RECORD ON APPEAL AND SUPPLEMENTAL STATEMENT OF ISSUES ON APPEAL* to be served upon the parties listed below in the manner indicated:

Via Facsimile and Federal Express

Paul Garcia, Esquire
Kirkland & Ellis
200 East Randolph Drive
Chicago, Illinois 60601

Via Hand Delivery

The Honorable Kevin J. Carey
United States Bankruptcy Court
for the District of Delaware
824 Market Street, 5th Floor
Wilmington, DE 19801

Via Facsimile and Hand Delivery

James E. O'Neill, Esquire
Pachulski, Stang, Ziehl, Young,
Jones & Weintraub, P.C.
919 North Market Street, Suite 1600
Wilmington, DE 19801

Via Facsimile and Federal Express

Matthew N. Kleiman, Esquire
Matthew N. Kleiman, P.C.
2506 North Clark Street, Suite 307
Chicago, IL 60614

Via Facsimile & Regular Mail

Mark Kenney, Esquire
U.S. Trustee's Office
844 King Street, Room 2313
Lockbox 35
Wilmington, DE 19801

Via Facsimile & Federal Express

Roger P. Furey, Esquire
Intellectual Property Law Department
Katten Muchin Zavis Rosenman
1025 Thomas Jefferson Street, N.W.
Washington, D.C. 20007-5201

Via Facsimile & Regular Mail

Fred Hodara, Esquire
Mary R. Masella, Esquire
Akin, Gump, Strauss, Hauer & Feld, LLP
590 Madison Avenue
New York, NY 10022

Via Facsimile & Regular Mail

Mark D. Collins, Esquire
Richards, Layton & Finger
One Rodney Square
P.O. Box 551
Wilmington, DE 19899

Via Facsimile & Regular Mail

David B. Stratton, Esquire
Pepper Hamilton LLP
1201 Market Street, Suite 1600
P.O. Box 1709
Wilmington, DE 19899-1709

Via Facsimile & Regular Mail

Douglas P. Bartner, Esquire
Marc B. Hankin, Esquire
Shearman & Sterling
599 Lexington Avenue
New York, NY 10022

Via Facsimile & Regular Mail
Laurie Selber Silverstein, Esquire
Potter, Anderson & Corroon, LLP
Hercules Plaza
1313 North Market Street
P.O. Box 951
Wilmington, DE 19899-0951

Via Facsimile & Regular Mail
Marcia Landweber Goldstein, Esquire
Troy L. Cady, Esquire
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153

Via Facsimile & Regular Mail
Richard S. Cobb, Esquire
Landis Rath & Cobb LLP
919 Market Street, Suite 600
Wilmington, Delaware 19801



/s/ Thomas G. Whalen, Jr.
Thomas G. Whalen, Jr.